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CINCINNATI, OHIO**

**IN THE UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Vanessa Sparks
421 W. McMicken Ave.
Cincinnati, Ohio 45214

Case No.

14 CV 612

And

Linda Wooten
455 W. McMicken Ave., Apt. 10
Cincinnati, Ohio 45214

J. DLOTT

And

Joseph Wooten
455 W. McMicken Ave., Apt. 10
Cincinnati, Ohio 45214

**VERIFIED COMPLAINT
FOR DAMAGES AND
PETITION FOR INJUNCTIVE
RELIEF**

And

Lenard Shelby
455 W. McMicken Ave., Apt. 11
Cincinnati, Ohio 45214

And

James Larkin
501 W. McMicken Ave.
Cincinnati, Ohio 45214

And

Carol Seale
503 W. McMicken Ave., Apt. 2
Cincinnati, Ohio 45214

Plaintiffs

-v-

City of Cincinnati, an Ohio Municipal
Corporation, whose principal address is
801 Plum Street
Cincinnati, Ohio 45202

Defendant

Now come the Plaintiffs, by and through undersigned counsel, and for their causes of action against the Defendant herein, state:

- 1) The instant case arises under Article One, Amendment 14, United States Constitution. Plaintiffs aver that the Defendant City of Cincinnati has denied the Defendants Equal Protection under the Law. Jurisdiction is therefore conferred upon this Court by operation of 28 U.S.C. 1331.
- 2) Defendant City of Cincinnati is a Municipal Corporation existing under the laws of the State of Ohio.
- 3) Plaintiffs are residents of the Mohawk area of West McMicken Avenue, which is located entirely within the boundaries of Cincinnati, Ohio.
- 4) All plaintiffs and the defendant are physically located and/or are domiciliaries of the territorial jurisdiction of the United States District Court for the Southern District of Ohio.
- 5) On or about April 30, 2014, the Defendant City of Cincinnati, by majority vote of Council, barricaded a section of West McMicken Avenue in the Mohawk area. The stated purpose for barricading the street is to curb prostitution on the street.
- 6) Plaintiffs reside on West McMicken in the section that has been barricaded.
- 7) Any automobile that drives around the barricade to access the homes of the plaintiffs is subject to be stopped by the police and the occupants detained, questioned, possibly searched. Friends, relatives and co-workers are afraid and intimidated from visiting or providing car pooling, due to fear of being stopped by police.
- 8) Public transportation, specifically the transit busses, have been re-routed around the barricaded section of West McMicken Street.

- 9) Fire and Emergency Service responses have been slowed and interfered with.
- 10) Plaintiffs rely on bus service, as most do not own cars.
- 11) Some residents work until after dark, and now must walk up to one-half mile from the nearest bus stop to their homes, which exposes the residents to an unnecessary hazard.
- 12) Some affected residents are elderly, sick and or shut in. The access to public transportation is crucial, but is being blocked by the actions of the Defendant City of Cincinnati.
- 13) Plaintiffs and others similarly situated are being penalized without having committed any crime.
- 14) Plaintiffs and others similarly situated are being singled out and treated differently from other citizens of the City of Cincinnati simply because of where they live.
- 15) Friends, relatives and co-workers of plaintiffs and others similarly situated are being detained by police without any reasonable or articulable suspicion of having committed any crime. Merely driving onto the street where plaintiffs live is deemed sufficient cause for police to detain, interrogate, and possible search the individuals.

COUNT ONE

- 16) The plaintiffs re-allege all of the foregoing as though fully rewritten at this point, and aver further,
- 17) Plaintiffs are being denied equal protection under the law by the Defendant City of Cincinnati.

- 18) Plaintiffs have exhausted all administrative appeals and remedies without avail.
- 19) Plaintiffs continue to be damaged the actions of the Defendant City of Cincinnati.
- 20) Plaintiffs have no adequate remedy at law.

COUNT TWO

- 21) The plaintiffs re-allege all of the foregoing as though fully rewritten at this point, and aver further,
- 22) Plaintiffs are being treated in a manner befitting outcasts simply for no other reason than the happen to live on West McMicken Avenue between Vine Street and Mohawk.
- 23) Plaintiffs are unable to invite visitors to their homes without subjecting their visitors to police detention, search and interrogation.
- 24) Plaintiffs have exhausted all administrative appeals and remedies without avail.
- 25) Plaintiffs continue to be damaged the actions of the Defendant City of Cincinnati.
- 26) Plaintiffs have no adequate remedy at law.

WHEREFORE, Plaintiffs demand relief as follows:

On Count One, That judgment be had in favor of plaintiffs and against the defendant for compensatory damages in an amount to be proven at trial and that the Defendants be enjoined immediately and permanently from barricading public roads to the homes of the Plaintiffs.

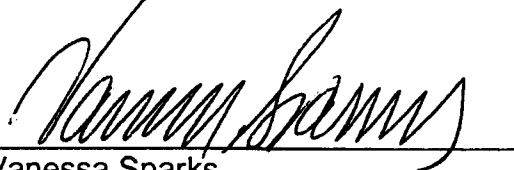
On Count Two, That judgment be had in favor of plaintiffs and against the defendant for compensatory damages in an amount to be proven at trial and that the Defendants be

enjoined immediately and permanently from detaining, interrogating and/or searching plaintiffs and others similarly situated without some observable criminal activity on the part of the person(s) being so detained.

Plaintiffs further pray for exemplary damages against Defendant City of Cincinnati in an amount sufficient in the court's discretion to discourage such flagrant disregard for the plaintiffs' rights in the future, plus reasonable attorneys fees, costs and such additional relief as to which the plaintiffs may be deemed entitled, whether same is at law or in equity.


VERIFICATION

I, Vanessa Sparks, undersigned, hereby verify that I am the same Vanessa Sparks as is the plaintiff herein, that I have personally examined the foregoing complaint, that the averments set forth are true as I verily believe.



Vanessa Sparks

Respectfully Submitted,



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